

Prompted by the 1<sup>st</sup> hearing of the 3<sup>rd</sup> change of the Contergan Trust Law on March 14<sup>th</sup> the BCG wrote an email to all important political people of our country.

Until now none of them has reacted to our email. We did not even get a notice of receipt. Only the Federal Ministry of Family sent an automated response at 5:49:52 UTC.

That is the reason why we repeat this email below:

To  
Mister President Joachim Gauck  
Office of the President  
Spreeweg 1  
10557 Berlin

To  
Madam Chancellor Dr. Angela Merkel  
Office of the Chancellor  
Willy-Brandt-Straße 1  
10557 Berlin

To  
Mister President of the German Parliament  
Professor Dr. Norbert Lammert  
Platz der Republik 1  
11011 Berlin

To  
Madam Minister of Family, Seniors, Women and Youth  
Dr. Kristina Schröder  
Glinkastraße 24  
10117 Berlin

To the  
Leaders of the Political Fractions of the German Parliament

Cologne, March 10<sup>th</sup> 2013

Re: 1<sup>st</sup> hearing of the 3<sup>rd</sup> change of the Contergan Trust Law in the German Parliament on March 14<sup>th</sup> 2013

Dear Mr President Joachim Gauck,  
Dear Madam Chancellor Dr. Angela Merkel,  
Dear Madam Minister of Family Dr. Kristina Schroeder,  
Dear Mr President of the German Parliament Professor Dr. Norbert Lammert,  
Dear Leaders of the Political Fractions of the German Parliament,

On Thursday March 14<sup>th</sup> 2013 the 1<sup>st</sup> hearing of the 3<sup>rd</sup> change of the Contergan Trust Law in the German Parliament will take place.

There was a public hearing about the situation of the Contergan Victims on February 1<sup>st</sup> 2013 already. I was invited and present as an expert and as representative of the BCG.

I am acting as representative of the Contergan Victims in the advisory board of the Contergan Trust, too.

The BCG welcomes the commitment of the Ruling Coalition to increase the highest Contergan benefit up to about 7,000 €. We welcome as well that there are further merits planned as recommended in the survey of the University of Heidelberg.

In the debate taking place on March 14<sup>th</sup> 2013 we are of the opinion that the following 3 topics should be taken into consideration, too. That is the only way to implement them into the 3<sup>rd</sup> change of the Contergan Trust Law:

- 1. The Contergan Trust Law should absolutely contain rules which allow for a transparency of the internal affairs and a democracy of the decision making bodies. The new law should absolutely contain rules which enable the Contergan Victims through a majority of their own elected representatives in the board and the advisory board (elects and supervises the board) to participate in decisions. Furthermore it should not be possible that people connected directly or indirectly to the Gruenenthal Company or their owner, the Wirtz Family, or their subsidiaries or representatives are members in any of the Trust's bodies or committees.**

The members of the board or the Advisory Board should be elected by direct vote of the Contergan Victim beneficiaries nationally and internationally. Beneficiaries of other countries should be represented in the Advisory Board. Those should be elected by direct vote, too. The number depends on the numbers of beneficiaries in that country. In other European Countries their trusts are managed by the beneficiaries themselves.

That is the only way to stop the Gruenenthal Company or their owners Wirtz to influence the bodies and committees of the Trust for the next 40 years.

The included letter of the board of the Contergan trust dd. February 22<sup>nd</sup> 2013 and my answer to it dd March 8<sup>th</sup> 2013 points out how important it is.

- 2. The beneficiary should always be free to decide if the benefit should be paid (whole or partially) as a monthly pension or (whole or partially) through capitalisation as a lump sum without deduction of accrued interest.**

Up to now to capitalize one's benefit is connected to following a lot of rules and conditions. The benefits of the Contergan Trust must have compensation benefit character.

Therefore the capitalisation plan of a beneficiary must not be connected to any rules or conditions as in social legislation.  
In case of compensation payments the beneficiary would have had the choice between a lump sum or a pension payment.

- 3. The German Parliament should publically and forcefully request that the companies owned by the Wirtz Family (owner of the Gruenthal Company) pay back to the Federal Government most of the money spent now as monthly benefits for the Contergan Victims because of the new Contergan Trust Law. Alternatively a very significant part of the gain through the sale of companies as compensation to the Trust would be acceptable.**

40 years after the Contergan Trust came into effect it is not acceptable that only the tax payer still has to pay the bill for the responsible party.

Within the last years the companies owned by the Wirtz Family keep buying and selling product ranges or parts of their companies or other companies.

For the future the gain out of the sale of company parts or product ranges should be paid to the Federal Government or to the Contergan Trust.

In the case of planning to buy parts of other companies the money available should be paid to the Federal Government or to the Contergan Trust in the first place.

The BCG offers to support the Federal Government or the future Federal Government publically in the media in case they plan to do that.

We gladly offer our support for debates regarding the 3<sup>rd</sup> change of the Contergan Trust Law as we have 30 years of experience.

We kindly ask the president of the German Parliament, Mr Prof Dr Norbert Lammert, to relay this message including both appendices to the member of the German Parliament as documents to be used in 1<sup>st</sup> debate about the 3<sup>rd</sup> change of the Contergan Trust Law on March 14<sup>th</sup> 2013.

We remain yours with a big "Thank you!" and best regards

Andreas Meyer  
Chairperson